APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/762,453	01/23/2004	An-Sheng Chang	TAIW 207	5481

			EXAMINER
7590	02/28/2006		MARTINEZ, DAVID E

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ART UNIT	PAPER NUMBER
2181	

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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/762,453	CHANG, AN-SHENG
	Examiner	Art Unit	
	David E. Martinez	2181	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>23 January 2004</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-16</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-16</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>23 January 2004</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

U.S. Patent and Trademark Office

PTOL-326 (Rev. 7-05)   Office Action Summary   Part of Paper No./Mail Date 02172006

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1 and 6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite

for failing to particularly point out and distinctly claim the subject matter which applicant regards

as the invention.

1. With regards to claim 1 line 1, the term "An interface card with power supply and

connected to a host" is not clear. Is the power supply a power module connected to an outlet

that is connected to the host or the interface card?, or is the power supply a power line coming

from an outlet? It could be interpreted as being a battery on the interface card or a power supply

module like a black box on the host itself that provides power to the motherboard on the host as

well as other electronics. It is not clear what element is connected to the host, is it the interface

card or the power supply? Or both the power supply *and* the interface card?

2. Claim 6 recites the limitation " the power supply of the host" in line 5. There is

insufficient antecedent basis for this limitation in the claim.

Due to the vagueness and a lack of clear definiteness in the claims, the claims have
been treated on their merits as best understood by the examiner.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3, 5, 6-8 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 6,275,946 to Meir.

3.   With regards to claims 1 and 6-8, Meir teaches an interface card [fig 1 element 10] with power supply [fig 1 element 16 or fig 3 element 28] and connected to a host [fig 3, element 22 including element 10], the interface card [fig 1 element 10] comprising:

a power module [fig 1 element 16]; and

a power charging module [fig 1 element 20];

wherein the power module [fig 1 element 16] provides electrical power to the host [fig 3, element 22] when the host power supply functions incorrectly [column 2 lines 37-40] and the power module is recharged via the power charging module [column 3 lines 59-62] by a power supply module of the host when the power module is low in capacity [column 2 lines 9-20 and column 4 lines 11-14 – charging through the pc slot, or charging from an electrical outlet which could also be a power supply module to the host].

4.   With regards to claim 3, Meir teaches the interface card of claim 1, wherein the connection between the interface card and the host uses a PCI bus [column 5 lines 6-11].

5.   With regards to claims 5 and 11, Meir teaches the interface card of claim 1 further comprising a host power connecting module to transfer power to the host [fig 1 element 30, column 3 lines 9-20 or column 5 lines 6-11].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,275,946 to Meir.

6.   With regards to claims 2 and 10, Meir teaches the connection between the interface card and the host can be through any PC slot [column 1 lines 15-22] and mentions the PCI slot () being one of the options [column 5 lines 6-11]. Meir is silent as to the interface card of claim 1, wherein the connection between the interface card and the host uses an ISA bus. However, the ISA bus is well known in the art to be used by legacy systems to communicate with peripheral devices.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Meir and those that were well known, to allow the internal card and the host to use an ISA bus to communicate, for the benefit of being able to support legacy systems.

Claims 4 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,275,946 to Meir in view of US Patent No. 5,565,759 to Dunstan.

7.   With regards to claims 4 and 9, Meir teaches the interface card of claim 1 further comprising a control module for detecting the power module and an external power source state connected to the power charging module [column 1 lines 15-22], and sending a warning message *to a user* – not to the host - when the power module and the external power source are found to be abnormal [column 5 lines 39-47]. Meir is silent as to sending a warning message to a host when the power module and the external power source are found to be abnormal. However, Dunstan teaches sending a message to a host to warn a user about potentially dangerous situation for the benefit of having the user rectify those potentially dangerous situations [column 8 lines 45-53].

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of both Meir and Dunstan to send a warning message to a host when the power module and the external power source are found to be abnormal for the benefit of having the user rectify potentially dangerous situations.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,275,946 to Meir in view of US Patent Application Publication No. US 2004/0243826 A1 to Wang.

8.   With regards to claims 12, Meir teaches all of the limitations as shown in claim 1 above, except for (b) controlling the computer system to automatically save data and its current state, and (c) shutting down the computer system once the data are all saved. However, Wang teaches controlling the computer system to automatically save data and its current state, and shutting down the computer system once the data are all saved for the benefit of protecting user data from being lost when the computer system is running on backup power that is running out [abstract, paragraphs 2, 6, 8, 19].

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of both Meir and wang to controlling the computer system to automatically save data and its current state, and shutting down the computer system once the data are all saved for the benefit of protecting user data from being lost when the computer system is running on backup power that is running out.

9.   With regards to claim 13, the method of claim 12, Wang wherein step (c) is followed by the step of returning the computer system to its saved state when it is restarted [paragraph 20] for the same reasons as those set forth in claim 12 above.

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,275,946 to Meir in view of US Patent Application Publication No. US 2004/0243826 A1 to

Wang as applied to claim 12 above and further in view of "IBM Beep Codes and MAC Beep

Tones".

10.   With regards to claim 14, the combination of Meir and Wang are silent as to the method

of claim 12, wherein step (a) is preceded by the step of checking whether the interface card

functions normally. However, checking if interface cards function normally are taught by the

IBM Beep Codes and MAC Beep Tones which are performed if there is a malfunction with the

interface at boot time for the benefit of warning the user of a malfunction with an interface card

[IBM BIOS beep].

It would have been obvious to one of ordinary skill in the art at the time of the invention

to combine the teachings of Meir, Wang and the IBM Beep Codes and MAC Beep Tones to

check whether the interface card functions normally for the benefit of warning the user that there

is a malfunction with the interface card.

Claims 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent

No. 6,275,946 to Meir in view of US Patent Application Publication No. US 2004/0243826 A1 to

Wang in view of "IBM Beep Codes and MAC Beep Tones" as applied to claim 14 above and

further in view of US Patent No. 5,565,759 to Dunstan.

11.   With regards to claims 15 and 16, the combination of Meir, Wang and IBM Beep Codes

and MAC Beep Tones is silent as to sending a warning message to the computer system, and

sending a warning message to the computer system when the interface card is detected to

function abnormally. However, Dunstan teaches sending a message to a host to warn a user

about a current problem situation for the benefit of having the user rectify the current problem

situations [column 8 lines 45-53].

It would have been obvious to one of ordinary skill in the art at the time of the invention

to combine the teachings of Meir, Wang, IBM Beep Codes and MAC Beep Tones and Dunstan

to send a warning message to the computer system and sending a warning message to the computer system when the interface card is detected to function abnormally for the benefit of having the user rectify the current problem situation.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent No. 6,307,377 to Cummings et al. teaches a saving the state of a pc to a disk and the shutting down the pc when the battery power is senses as being at a dangerously low level [column 1 lines 40-55].

US Patent No. 6,535,996 to Brewer et al. teaches automatically saving data during a power failure.

POWERCARD PCI user's manual teaches how to use an internal power backup card.

POWERCARD PCI Puts the UPS Inside teaches of the features of an internal power backup card.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. Martinez whose telephone number is (571) 272-4152. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Huynh can be reached on (571) 272-4147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private

PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DEM

KIM HUYNH
SUPERVISORY PATENT EXAMINER

2/7/06